

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

OPINION, ORDER AND MEMORANDUM

This matter is before the Court upon the application of Shirley J. Hollins for leave to commence this action without payment of the required filing fee. *See* 28 U.S.C. § 1915(a). Plaintiff has submitted a partially completed financial affidavit CJA Form 23 in support of her application for in forma pauperis status. *See* Local Rule 2.05(A). Plaintiff has failed to indicate whether, if married, her spouse is employed, whether she has “other income” or any cash on hand or in a savings or checking account, or whether she owns real estate, stocks, bonds, notes, automobiles, or other valuable property. In addition, plaintiff has failed to state the nature of her obligations and debts. As such, the Court is unable to determine, at this time, whether plaintiff is financially unable to pay the filing fee. *See* 28 U.S.C. § 1915(a), Local Rule 2.05(A).

Accordingly,

IT IS HEREBY ORDERED that, in addition to a copy of this Order, the Clerk of Court shall provide plaintiff with CJA Form 23 (financial affidavit).

IT IS FURTHER ORDERED that plaintiff shall have thirty (30) days from the date

of this Order to pay the statutory filing fee of \$250.00, or to submit a fully completed CJA Form 23 (financial affidavit).

IT IS FURTHER ORDERED that the Court will dismiss this case, without prejudice, if, within thirty (30) days, plaintiff fails to pay the filing fee or to submit a fully completed CJA Form 23.

IT IS FURTHER ORDERED that if plaintiff complies with this Order, the Clerk of Court shall cause this case to be resubmitted to the undersigned for review under 28 U.S.C. § 1915(a), (d).¹

Dated this 24th day of May, 2005.



UNITED STATES DISTRICT JUDGE

¹The Court notes that if plaintiff pays the filing fee, she will be responsible for serving the summons and the complaint upon the defendant. See Fed. R. Civ. P. 4(d). Service must be made within 120 days of the filing of the complaint (in the instant case, within 120 days of the payment of the filing fee). See Fed. R. Civ. P. 4(m).